

REMARKS

Applicants have carefully reviewed this Application in light of the Final Office Action mailed August 11, 2006. Claims 1-30 are pending in this Application. Claims 1-30 stand rejected under 35 U.S.C. § 102(b). Applicants have amended Claims 1, 11, 15, 25 and 29 to further define various features of Applicants' invention. Applicants respectfully request reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 102

Claims 1-30 stand rejected by the Examiner under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,978,770 issued to William Waytena et al. ("*Waytena*").

Waytena discloses a system and method for assigning and managing patron reservations for one or more of a plurality of attractions. A patron uses a personal communication device (PCD) to request a reservation for a particular attraction. (Col. 3, Lines 11-12). An attraction computer then processes the incoming reservation request to determine whether and when the reservation can be accommodated. (Col. 3, Lines 12-17). If the request is valid, the attraction computer transmits a proposed reservation time to the patron on the PCD and the patron elects to confirm or reject the reservation. (Col. 3, Lines 17-23).

Claim 1, as amended, recites:

1. A method for facilitating mediated virtual communication, comprising:

receiving, by a mediation system from a mediation subscriber communication device, a service reservation selection, the service reservation selection identifying a service action selected by a mediation subscriber from a plurality of service actions displayed to the mediation subscriber by the mediation subscriber communication device;

determining, by the mediation system, a context associated with the service reservation selection, the context comprising information regarding the availability of the mediation subscriber and historical information and behavioral information associated with the mediation subscriber; and

in response to determining the context associated with the service reservation selection, determining, by the mediation system, a plurality of contextual arrangement options regarding the service action selected by the mediation subscriber, at least one of the plurality of contextual arrangements

options being determined based on at least the information regarding the availability of the mediation subscriber and the historical information and behavioral information associated with the meditation subscriber of the determined context associated with the service reservation selection.

Waytena fails to disclose, teach or suggest this combination of elements. For example, *Waytena* fails to disclose, teach or suggest “in response to determining the context associated with the service reservation selection, determining, by the mediation system, a plurality of contextual arrangement options regarding the service action selected by the mediation subscriber, at least one of the plurality of contextual arrangements options being determined based on at least the information regarding the availability of the mediation subscriber and the historical information and behavioral information associated with the mediation subscriber of the determined context associated with the service reservation selection,” as specifically recited in Claim 1. (emphasis added).

For at least these reasons, the cited reference fails to disclose the recited elements and, therefore, cannot anticipate Claim 1. For reasons similar to those cited above with respect to Claim 1, *Waytena* also fails to disclose, teach or suggest the limitations recited in Claims 11, 15, 25 and 29 and, therefore, cannot anticipate Claims 11, 15, 25 and 29.

Given that Claims 2-10 depend from Claim 1, Claims 12-14 depend from Claim 11, Claims 16-24 depend from Claim 15, Claims 26-28 depend from Claim 25, and Claim 30 depends from Claim 29, Applicants respectfully submit that Claims 2-10, 12-14, 16-24, 26-28 and 30 are allowable. As such, Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1-30.

CONCLUSION

Applicants appreciate the Examiner's careful review of the application. Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. For the foregoing reasons, Applicants respectfully request reconsideration of the rejections and full allowance of Claims 1-30 as amended.

Applicants believe there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2581.

Respectfully submitted,
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